

BOARD OF SUPERVISORS

#3

ACTION ITEM

SUBJECT: CPAM 2003-0001, Comprehensive Plan Amendment for the Purcellville Urban Growth Area Management Plan (PUGAMP)

ELECTION DISTRICT: Blue Ridge

CRITICAL ACTION DATE: May 24, 2006

RECOMMENDATIONS:

Staff: Staff recommends continued discussion with the Town of Purcellville to resolve outstanding issues and adoption of the draft PUGAMP.

Transportation/Land Use Committee: On April 24, 2006, the Committee discussed outstanding issues regarding the PUGAMP with several members of the Purcellville Town Council. The Committee referred the Draft to the Committee of the Whole and recommended that a joint meeting be convened with the Purcellville Town Council for further discussion.

Committee of the Whole: The Committee forwarded CPAM 2003-0001, Purcellville Urban Growth Area Management Plan Update, dated March, 2006, to the May 16, 2006, Board business meeting with a recommendation of approval with the changes agreed to by the Board at the May 8, 2006, joint meeting and with the recommendation that the Board of Supervisors recognize a joint process in planning and development of County-owned properties in the Purcellville JLMA (8-0-1, Snow absent).

BACKGROUND: On May 8, 2006, the Board of Supervisors and the Purcellville Town Council held a joint meeting to discuss outstanding issues related to the Draft PUGAMP (Attachment 1). There was clear interest on the part of the Town Council and the Board of Supervisors to work on resolving remaining issues at their level. After discussion of the issues, the Council and the Board discussed the timeline for review of the Draft. It was noted that State Code requirements stipulate that both Governing Bodies would need to act on the Draft within 90 days of the date the Draft was certified by the Town and County Planning Commissions (May 24, 2006). This timeframe will not permit the Council and the Board to continue their joint discussion of the Draft and as such it will need to be sent back to the Planning Commissions for deliberation and re-certification.

At the conclusion of the May 8 meeting, the Board voted to forward the Draft to the May 16, 2006, Board business meeting with a recommendation of approval including the changes agreed to at the May 8 meeting and with further direction to consider a joint decision-making process for the location of County-owned properties in the JLMA (Attachment 2). The Town Council voted to forward the Draft to the May 9 business meeting with a recommendation of approval subject to the changes agreed to at the May 8 meeting.

At their business meeting on May 9, 2006, the Purcellville Town Council approved a motion to return the PUGAMP Draft, dated March, 2006, to the Joint Planning Commissions with direction to re-certify the Draft for "immediate return to the Town Council to permit additional joint deliberations between the Council and the County Board of Supervisors in order to resolve remaining policy issues prior to adoption of the Plan Update" (Attachment 3).

ISSUES: The staff memo for the May 8 meeting outlined five issue areas for discussion (Attachment 1). The Town Council and the Board reached agreement on four of the items. The fifth issue area pertains to policies in the Draft PUGAMP related to utility service in the JLMA and specifically the use of communal systems for development of properties in the JLMA and notably at Fields Farm. The Council and Board also discussed this policy and how it might pertain to non-residential development or residential properties that experience failing drainfields. In addition, the Board and Council discussed a proposal submitted by one councilmember that would require the County to obtain "consent" from the Town for development of County-owned facilities in the JLMA. It was decided by both bodies that more time was needed to find mutually acceptable policy language.

Related to this issue is the recent action taken by the School Board regarding the western Loudoun High School. At its meeting on May 9, 2006, the School Board selected the Fields Farm site as the location for the new western Loudoun high school. The School Board will be proceeding with the necessary land development applications for the school at this location. The utility policies in both the existing PUGAMP and the Draft document are being considered to assess what policy language best addresses the location of the high school in the JLMA.

FISCAL IMPACT: There are no fiscal impacts directly associated with the approval of this plan amendment.

ALTERNATIVES: The Board may choose to continue working with the Town of Purcellville on resolving the final issue by scheduling another joint meeting(s). The Draft will need to be referred back to the Planning Commission for re-certification to allow for another 90 days in which the Board and the Council can deliberate. Alternately, the Board may decide to discontinue working on the Draft with the Town. If this option is exercised, the existing PUGAMP document would remain in effect.

DRAFT MOTION(S):

I move that CPAM 2003-0001, Purcellville Urban Growth Area Management Plan Update, dated March 2006, be returned to the Planning Commission for re-certification with no further deliberation required by the Planning Commission on the Draft. Further, I move that staff be directed to schedule a joint meeting between the Board and the Purcellville Town Council to resolve the remaining issue(s) with the Draft.

Or

I move that no further action be taken on CPAM 2003-0001, Purcellville Urban Growth Management Plan.

Or

I move an alternate motion.

ATTACHMENTS:

1. Staff report for May 8, 2006 meeting
2. Action Summary from May 8, 2006 meeting
3. Motion from Purcellville Town Council

STAFF CONTACT: Susan Berry Hill, Project Manager, Planning Department

TOWN COUNCIL/BOARD OF SUPERVISORS
Joint Meeting on the Draft Purcellville Urban Growth Area Management Plan
(PUGAMP)
Purcellville Town Office
130 East Main Street
Purcellville, Virginia
7:00 p.m.

BACKGROUND:

This comprehensive plan amendment (CPAM 2003-0001) serves to update the Purcellville Urban Growth Area Management Plan (PUGAMP). PUGAMP is the area plan for the Purcellville Joint Land Management Area (JLMA). It is a jointly adopted plan between the Town and the County. The Town Council held a public hearing on April 4, 2006 at which 2 speakers provided input to the Council. The Board of Supervisors held a public hearing on April 11, 2006, at which 6 speakers addressed issues relating to policies in PUGAMP. On April 24, 2006, the Transportation Land Use Committee discussed issues raised by citizens and Board members at the public hearing. Town Council members Bob Lazaro and Tom Priscilla attended the meeting representing the Town and participated in the discussion.

The Committee and the Town Council members decided to schedule a joint meeting to discuss the following issues together. Staff will be prepared to discuss these issues further at the joint meeting. Staff requests that Board and Council members bring the PUGAMP staff report from your respective public hearings.

ISSUES:

1. Annexation - The representative from the Brown's Farm subdivision and owners from the Wright Farm Estates subdivision expressed concerns about the lack of language in the draft to assure that the Town would not annex these subdivisions. Both subdivisions have been developed using onsite utility systems and do not need central utilities from the Town.

Mr. LaFiandra, homeowner association representative for Brown's Farm, has suggested the following wording to be inserted into the draft:

"No property in the JLMA can be annexed by the Town of Purcellville without the approval of the owner of the subject property".

This issue was discussed by the Town and County Planning Commissions at their worksession on February 23, 2006. Staff suggested the following language for the Planning Commissions consideration:

"The Town will not initiate annexation of properties that are currently served by private onsite utilities. This does not preclude property owners of such properties from requesting to be annexed by the Town. Such requests will be evaluated according to the phasing criteria herein."

Mayor Druhan provided written comments for the Transportation Land Use Committee and stated support for the language as proposed by Mr. LaFiandra (Attachment 1).

2. Communal Water/Wastewater Systems - Policy #2, page 5-3 of the draft states that communal water and wastewater systems *"will not be permitted"*. The definition of 'communal' in the PUGAMP glossary defines communal systems as those systems that serve *"multiple effluent sources"*.

The issue, as raised in public comment and by Board members at the public hearing, is that such prohibition of communal systems will limit opportunities for development of public facilities and/or economic development endeavors.

Attachment 2 provides definitions of communal systems that are currently in the County's Revised General Plan (RGP) and the County Zoning Ordinance. The Town does not provide a definition of communal because all development in the Town is expected to connect to central utilities.

During their review of the PUGAMP policies the Purcellville JLMA Policies Review Committee also considered a definition which combines elements of the RGP and Zoning Ordinance. This definition is also included in Attachment 2.

3. Planned Transportation Facilities – In addition to land use designations, the draft Planned Land Use Map in the draft PUGAMP shows the planned transportation facilities, including the northern and southern collector roads and planned interchange at Route 690 and the Route 7 Bypass. Concern was raised in the Board discussion at the public hearing about the southern collector road and the impacts such a facility would have on local properties and the village of Lincoln.

One speaker at the public hearing also raised the idea of a new connector road west of Route 690 between Hillsboro and Purcellville. This would ultimately connect the proposed 690 interchange with Route 9 west of Hillsboro. This idea references a VDOT alignment that has been studied in the past as a means of reducing congestion on Route 9 by funneling traffic to Route 7 (Attachment 3). This speaker suggested that language be added to the draft that would recognize the 690 interchange as the southern terminus of this road option in the event that it is included in the Countywide Transportation Plan in the future. This issue was discussed briefly at the Transportation Land Use Committee.

4. Greenbelt - One speaker at the public hearing noted that Figure 5, Greenbelt Areas, showed a proposed greenbelt on the JDB Hirst Farm property which is west of Route 690 and west of the existing Hirst Farm subdivision. This speaker, who is also the property owner, suggested that the portion of the designated greenbelt that is situated east of the stream that bisects her property be eliminated. There is an active subdivision application that is being reviewed by the Town on this property.

The Town is considering this recommendation. Surrounding property owners have been consulted regarding the need for the greenbelt. Mayor Druhan has stated his opposition to elimination of the greenbelt designation in PUGAMP (Attachment 1).

5. Nonresidential/Mixed Use Development at Route 287/Bypass 7

The property owners of a 67-acre parcel at the northeast corner of Route 287/Bypass Route 7 have expressed interest in developing a mixed use project at this location and have expressed concern about specific policies in the draft PUGAMP that might preclude these development plans (Attachment 4). Specifically the owners recommend substitution of policy language relating to the character of mixed use nonresidential uses and glossary definitions for 'Central Water and Wastewater Systems' and 'Contiguous'.

6. Adoption Date

The Town and County Planning Commissions certified the draft PUGAMP on February 23, 2006. The State Code requires that upon Planning Commission certification, the Governing Body has 90 days in which to take action. To act within the certification timeline, both the Town Council and the Board of Supervisors would need to adopt the draft by May 24, 2006.

If the draft is not adopted by this date, it will be remanded to the Town and County Planning Commissions and must be recertified by the Commissions prior to coming back to the Town Council and Board of Supervisors for adoption.

FISCAL IMPACT:

There are no fiscal impacts directly associated with the approval of this plan amendment. PUGAMP contains "Key Implementation Steps" in Chapter 7 which includes the completion of a market study and continued transportation studies with VDOT and the Town. There may be expectations for joint funding of these items in the future.

DRAFT MOTIONS:

County Motion

I move that CPAM 2003-0001, Purcellville Urban Growth Area Management Plan Update, dated March, 2006, be forwarded to the May 16, 2006, Board Business Meeting with a recommendation of approval with the following changes:

OR

I move an alternate motion.

Town Motion

I move that CPAM 2003-0001, Purcellville Urban Growth Area Management Plan Update, dated March, 2006, be forwarded to the May 9, 2006, Town Council meeting with a recommendation of approval subject to the following changes:

OR

I move an alternate motion.

ATTACHMENTS:


1. Comments from Mayor Druhan
2. Definitions of 'Communal' systems
3. Draft VDOT realignment of Route 9 to proposed 690/7 interchange
4. Letter from Chip Dicks

STAFF CONTACT:

Susan Berry Hill, Department of Planning

MEMORANDUM
COUNTY OF LOUDOUN

DATE: May 9, 2006

TO: Department and Agency Heads 

FROM: Kirby M. Bowers, County Administrator

SUBJECT: Action Report of the May, 8, 2006 Joint Meeting of the Board of Supervisors and Town Council of Purcellville

Listed below is a summary report of the Board's action taken at its May 8, 2006 Joint Meeting. On items requiring follow-up, the staff person responsible is noted. Please work with your staff to follow through on the Board action as noted.

- REVIEW AND DISCUSSION OF DRAFT PURCELLVILLE URBAN
GROWTH AREA MANAGEMENT PLAN (PUGAMP)

Straw votes were taken by the Board of Supervisors and Town Council members on the following:

1. Annexation
Majority of the Board of Supervisors and the Town Council members have agreed to insert the following into the draft:
"The Town will not initiate annexation of properties that are currently in the JLMA without the approval of the owner of the subject property. This does not preclude property owners of such properties from requesting to be annexed by the Town. Such requests will be evaluated according to the phasing criteria herein."
2. Communal Water / Wastewater Systems
The Board of Supervisors did not support Vice Mayor Lazaro's suggested language, as follows:
"No public facilities defined on this plan shall be located within the JLMA without the joint consent of the County and the Town, or a variation of that. Necessity for a location of public facilities as defined by this plan shall be approved by the joint intent of the County and the Town (Town Council)."

Supervisor Burton's recommendation, as amended, was supported by the Board of Supervisors (Burton, Clem, Kurtz, Tulloch, and York voted yes). Majority of the Town Council members did not support it:

"Except to serve County and Town owned and/or operated public facilities and existing failed private utilities the use of communal, interim or alternative wastewater treatment systems and communal water supply systems will not be permitted in the JLMA."

The Board of Supervisors voted 4-4 -1 (Burton, Clem, Kurtz, and Tulloch voted no and Snow absent for the vote) on the following Staff's recommendations:

"Leave the existing communal language in Chapter 5, Public Facilities and Utilities, and add a new implementation measure to Chapter 7, Implementation, to read as follows: 11. The Town and County will enter into a collaborative master plan process for the county-owned Fields Farm property that will address land use planning and utility service for the parcel."

3. Planned Transportation Facilities

The Board of Supervisors and Town Council members agreed with Staff's recommendations:

"Staff recommends no change in PUGAMP regarding the Southern Collector Road or the proposed new Route 9/Route 7 connector road." Staff felt it was premature to make changes to PUGAMP since the study has not been completed.

Several Town Council members and Board members expressed their support of the Western Collector concept. Supervisor Waters presented her idea of a bond package to improve Route 7. Supervisor Staton also presented his idea for a toll facility off of Route 9, interchange on Route 690, and six-lane Route 7 up to Leesburg.

4. Greenbelt

The Board of Supervisors and Town Council members made no changes or objections to Staff's recommendations.

"Town staff recommends no change in the Greenbelt Area shown in the Plan."

5. Nonresidential / Mixed Use Development at Route 287/Bypass 7

The Board of Supervisors and Town Council members agreed to the following Staff's recommendations (#2, 3, and 4):

2. Replace text in March Draft (clean version), Chapter 4, page 4-10, paragraph 2, as follows:

Delete: "The small scale development pattern prevalent in the Town should be reinforced in-the JLMA. As such, building areas and building sizes should be similar in scale to the existing community."

Add:

"Nonresidential and mixed use development will be evaluated as part of the land use regulations of the Town to determine (i) if the proposed development includes a master plan for development, with planned streets, pedestrian walkways, enhanced landscaping and open space to create a consistent theme throughout the development: (ii) whether the development will detract from the commercial districts in the Town: (iii) if the proposed development enhances the economic development goals of the Town and improves the commercial real estate tax base: and (iv) if the design of the proposed development is compatible with the historic character of the Town."

Council Member Pelchar made the following recommended revisions on paragraph 2, italic (iv), to add the underlined words: "If the design and scale of the proposed development..."

3. *Revise policy #2, page 4-10*

Replace second sentence in Policy 2, i.e. "Any retail development in the JLMA must be compatible in size, scale and architecture with existing development and proposed guidelines." with:

"Nonresidential and mixed uses may include the uses set out in the Town's Zoning Ordinance, and any such development in the JLMA shall be compatible with the Town's Guidelines for such development."

4. *Edit Definition of 'Contiguous' in Glossary by adding the following:*
"Contiguous: touching, abutting, adjoining at the border, or immediately across the street or public right of way."

6. Adoption Date

Board's Action:

Supervisor Burton moved that the Board of Supervisors forward CPAM 2003-0001, Purcellville Urban Growth Area Management Plan Update, dated March, 2006, to the May 16, 2006, Board Business Meeting with a recommendation of approval with the changes agreed to by the Board at the May 8th Joint Meeting; and as stated, that the County needs to recognize a joint process in the planning of future development of County-owned properties in the JLMA. Seconded by Supervisor Clem. The motion passed 8-0-1, Supervisor Snow absent for the vote.

Town's Action:

Council Member Priscilla moved that CPAM 2003-0001 Purcellville Urban Growth Area Management Plan Update, dated March 2006 be forwarded to the May 9, 2006 Town Council Meeting with the recommendation of approval subject to the following changes (referred to the May 8, 2006

County memo for item numbers) with the following changes as agreed to at the May 8th Joint Meeting.

Issue 1 Annexation

Issue 3 Planned Transportation Facilities

Issue 4 Greenbelt

Issue 5 Non-Residential Mixed Use Development at Rt. 287 and Rt. 7.

Seconded by Council Member Wagner. The motion passed 7-0.

Staff Contacts for the County: Susan Berry-Hill, Planner, Larr Kelly, Assistant County Attorney; and Staff Contacts for the Town: Maureen Gilmore, Town's Attorney, and Martha Mason Semmes, Town's Planner.

cc: Board of Supervisors
Planning Commission

A7

STAFF MEMORANDUM

PUGAMP Action
Town Council & Board of Supervisors

TO: Purcellville Town Council
FROM: Martha Mason Semmes, Director of Planning
DATE: May 9, 2006
SUBJECT: Town Council Action following Joint Meeting on revised Purcellville Urban Growth Area Management Plan (PUGAMP)

Background:

The Town Council and board of Supervisors made significant progress at the joint PUGAMP review meeting last night. Nevertheless, both bodies decided to recommend that the PUGAMP Plan be returned to their respective Planning Commissions for recertification to permit the Council and Board of Supervisors to continue working to resolve remaining issues beyond the current May 23rd deadline for action. Assistant County Attorney Lar Kelly indicated last night that this will not necessitate additional public hearings on the plan.

Action

A motion to return PUGAMP to the Planning Commission for recertification is provided below:

"I move that CPAM 2003-0001, Purcellville Urban Growth Area Management Plan Update, dated March 2006, be returned to the Purcellville Planning Commission for recertification and immediate return to the Town Council to permit additional joint deliberations between the Council and County Board of Supervisors in order to resolve remaining policy issues prior to adoption of the Plan Update."